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C O N F I D E N T I A L SECTION 01 OF 02 JEDDAH 000045

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SUBJECT: SAUDI JUDGES HEAR U.S. AND SAG VIEWS ON
TRAFFICKING IN PERSONS

REF: 08 JEDDAH 0099

Classified By: CG Martin R. Quinn for Reasons 1.4 (b) and (d)

11. (C) SUMMARY: Post outlined U.S. policies on human trafficking for an audience of Saudi judges, prosecutors, and investigators at a Jan 10-12 workshop on human trafficking at Prince Naif Arab University for Security Sciences (NAUSS) in Riyadh. The workshop addressed the relationship between Islam and trafficking, affirmed the need for stiff penalties to punish and deter TIP, recognized the need to help victims, and discussed a new comprehensive anti-TIP law under development. However, participants appeared confused about the definition of TIP and evinced disbelief that Saudi Arabia (a Tier III country) could have a serious trafficking problem. The seminar gave Post an opportunity to reach an audience that normally has little direct exposure to U.S. views. NAUSS officials were very pleased with U.S. participation and expressed strong interest in further cooperation on law enforcement education and training. END SUMMARY.

12. (SBU) NAUSS is an institution sponsored by the Arab League that trains judicial, law enforcement, and security personnel from Arab League member states. According to organizers, this was the University's third human trafficking seminar, and the first time the U.S. had been invited to participate. For this iteration, the majority of trainees were judges from Saudi courts of general jurisdiction, as well as a few prosecutors and investigators from around the country. Saudi general courts apply Islamic Shari'ah law, and Saudi judges are trained as religious scholars. The majority of the audience members did not speak any English, were marked as religious conservatives by their speech and dress, and probably have had little or no contact with mission personnel. Speakers included Prince Turki bin Mohammed al-Saud al-Kebir, Undersecretary for Multilateral Affairs at the MFA, local academics, and experts from Europe, the United States, and Africa. Prince Turki's speech was covered by Saudi media, but otherwise the conference was closed to the press.

13. (SBU) PRESENTING THE U.S. PERSPECTIVE: Jeddah poloff's presentation addressed trafficking definitions, U.S. TIP policies, and the particular trafficking challenges facing the Middle East and Saudi Arabia. Questions and comments by audience members included claims that trafficking was rare in Saudi Arabia and that the U.S. was focusing on worst case examples. Poloff responded that given the six million or so foreign workers in Saudi Arabia, even a small percentage of

cases would yield a significant number of victims. Another questioner asked whether the U.S. should be asserting its values to an Islamic country; in response poloff encouraged also using Islam as a basis for changing societal views on trafficking.

¶4. (SBU) THE SAUDI LINE ON TIP: A WESTERN PROBLEM BUT WE WILL PUNISH IT VIGOROUSLY: Prince Turki's keynote address summed up the Saudi approach to trafficking. On one hand he was defensive and rejected the idea that Saudi Arabia has a trafficking problem. He remarked that, "Many Islamic, even Arab and Gulf countries are accused in reports of trafficking in persons. No. Our Islamic traditions and morals prohibit us from causing this phenomenon. This practice was started in colonialist countries." At the same time, he forcefully emphasized Saudi actions to confront trafficking that exists, stressing that "TIP is the most dangerous thing in the whole world. It is against all religions." He acknowledged that trafficking is a human rights violation, and noted a new Saudi anti-trafficking law was near completion. He refused to discuss specifics, saying "It is not my right to talk about a law that has not been promulgated (yet)."

¶5. (SBU) The Prince said the definition of trafficking in persons was confusing, and opined that simplifying the concept would help avoid errors that lead to a "stumbling and dangerous situation." He noted there should be clear international reporting on local, national, and international violations of TIP, based on international norms. He claimed information on TIP violations is simply copied from one year to the next in reports by the U.S. State Department and other

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organizations without an adequate regard for changes. He rejected this approach noting, "No other countries inspire us to change. We are inspired by our culture and religion." A judge from Qatif later inquired why Saudis are not writing reports investigating the actions of other countries since Western nations do the same to Saudi Arabia. Another participant commented that outside elements can't "force Saudi Arabia to change laws in order to satisfy other countries' demands. The laws can't go against Islamic principles."

¶6. (SBU) The Prince emphasized punishments as a critical tool in the fight against trafficking: "people participating in this practice need to be subjected to the most ferocious punishment (There is a need to define the penalties that will be imposed. There needs to be a comprehensive code for penalization." He went on to note the importance of the media as an outreach tool. He solicited the help of civil organizations in developing strategies to counter trafficking, but did not mention the specific organizations he had in mind.

¶7. (C) AMBIVALENCE ABOUT VICTIMS: Audience members and panelists debated whether trafficking victims should be punished. Some of the judges thought those who are trafficked into sex crimes are still accountable for their actions, but others, including the Saudi panelists, strongly disagreed. One comment noted that "a victim should not be criminalized if that victim has fallen under compulsion." Prince Turki did not focus on the question of victims' culpability, but insisted that after-care for victims is part of Islamic principles. He discouraged the practice of deporting possible victims before their cases were resolved.

¶8. (C) ISLAM IS BOTH OBSTACLE AND SOLUTION: An issue that came up throughout the workshop was the relationship between Islam and trafficking. A session of the workshop was devoted to a presentation and Q&A on the various ways that Sharia can be interpreted to combat trafficking and other labor abuses. The session provoked significant interest from the participants. One commented to Poloff that many Muslims believe the kinds of ills often associated with trafficking (prostitution, physical abuse, etc.) make it impossible for

deeply religious Saudis to admit that such a problem could exist in their country. In his address, Prince Turki portrayed Islam as only part of the equation, noting that trafficking solutions must comply with both Sharia and international law.

19. (C) COMMENT: The Saudis are trying to address TIP through educating officials who are likely to confront it. There are still significant challenges however, since many of the judges, and probably many Saudis in general, appear to reject the very idea that Muslims can be capable of trafficking. There are even linguistic obstacles: the Arabic word for trafficking implies the buying or selling of people and is often associated only with sex trafficking. This leads to confusion over the definition of trafficking, or selective understanding of trafficking concepts, which in turn often prevents Saudis from confronting the aspects of their law and culture that enable labor trafficking, such as the holding of passports, denial of exit visas, and non-payment of foreign workers. Any successful strategy for combating TIP in Saudi Arabia will need to account for the role of Islam in both shaping Saudi attitudes and providing a tool for combating TIP abuses. As Prince Turki's remarks demonstrated, we have significant work ahead of us to persuade the Saudi government to see the U.S. as a cooperating partner on TIP, rather than just another Western critic. We have begun to make progress, however, since despite all the complaining about U.S. criticism and the TIP report, and after remaining on Tier III for several years, the Saudi government is moving towards passing a major anti-trafficking law and is inviting U.S. officials to help train its judges. END COMMENT.
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